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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/574,820	05/19/2000	Robert A. Veschi	PA1161	1092
7590	12/16/2004		EXAMINER	
Robert Beyers, Ph.D. MORGAN, LEWIS & BOCKIUS LLP 3300 Hillview Ave. Palo Alto, CA 94304			JONES, PRENELL P	
			ART UNIT	PAPER NUMBER
			2667	

DATE MAILED: 12/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/574,820	VESCHI, ROBERT A.	
	Examiner Prenell P Jones	Art Unit 2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 August 2004.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-3 is/are rejected.
- 7) Claim(s) 5 and 6 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____

Response to Arguments

1. Applicant's arguments with respect to claims 1-6 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Munguia et al in view of Foelker, Elliot et al and Ranalli et al.

Regarding claims 1-3, Munguia (Abstract, col. 4, line 24-41, col. 11, line 5-67 line 40 thru col. 18, line 17, col. 18, line 40 thru col. 19, line 16, col. 21, line 34-55, col. 24, line 43-65) discloses a Web/Internet based telecommunication system wherein the architecture consist of calling party numbers (telephone numbers), dialing plans and code ID, IP addresses are associated with subscribers so that subscriber requests are received over the Internet, plurality of gateways/servers to assist in message routing, after entering, plurality of servers assisting in the communication between two units, IP addresses, ID numbers associated with CPN (calling phone number) whereby ID numbers and ID code set are entered after CPN, calling plan includes dialing protocol for off-net and on-net, associating leading zero with CPN, ID code

numbers entered after CPN. Munguia is silent on packetized voice communicating across the Internet and register IP address associated with telephone numbers. In analogous art, Foelker discloses (Abstract, Fig. 2, 4, 6, col. 7, line 25 thru col. 10, line 67) multiple configurable dialing plans for callers inside and outside geographical location (off-net/on-net), whereby the architecture includes leading digits/prefix digits which associate dialing plan with domestic, international or special dialing (on/off network), whereby a "0" is leading prefix for domestic calls (on-net) and "1" is leading prefix for international/special calls (off-net), Elliott discloses (Abstract) a multimedia (packetized data (voice)) telecommunication system that transfers information across the Internet, (Fig. 71, col. 250, line 26-60) gateway providing communication between customer processors, providing local dialing access/private dialing plans, (col. 190, line 34-67, col. 197, line 1 thru col. 198, line 67) dial-access using user pin, gatekeeper determining path, (col. 49, line 11-23, col. 154, line 55-67) utilizing Q.931 transmission protocol, Ranalli (Abstract, Fig. 1-3, 5, 6, col. 1, line 38-56, col. 2, line 22 thru col. 5, line 67) discloses correlating registered unique identifier associated with a PSTN telephone number (conventional) to an Internet address wherein a directory service containing identifiers (telephone numbers) and associated IP addresses, packet switched technology, communicating voice over the Internet, (col. 2, line 55-67) searching database using keypad. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement dialing plans that associated leading digits with on-network communication and off-network communication, as well as, associating IP addresses with telephone numbers for VOIP communication as taught by the combined teachings of Foelker, Elliot and Ranalli with the teachings of Munguia for the purpose of further processing and managing telecommunication as associated with communicating over the Internet in different geographical locations.

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Munguia et al in view of Foelker, Elliot et al and Ranalli et al as applied to claims 1-3 above, and further in view of Wulkan et al.

Regarding claim 4, as indicated above, Munguia (Abstract, col. 4, line 24-41, col. 11, line 5-67 line 40 thru col. 18, line 17, col. 18, line 40 thru col. 19, line 16, col. 21, line 34-55, col. 24, line 43-65) discloses a Web/Internet based telecommunication system wherein the architecture consist of calling party numbers, dialing plans and code ID, IP addresses are associated with subscribers so that subscriber requests are received over the Internet, plurality of gateways/servers to assist in message routing, after entering, plurality of servers assisting in the communication between two units, IP addresses, ID numbers associated with CPN, whereby ID numbers and ID code set are entered after CPN, calling plan includes dialing protocol for off-net and on-net, associating leading zero with CPN, ID code numbers entered after CPN, Foelker discloses (Abstract, Fig. 2, 4, 6, col. 7, line 25 thru col. 10, line 67) multiple configurable dialing plans for callers inside and outside geographical location, the architecture includes leading digits/prefix digits which associate dialing plan with domestic, international or special dialing (on/off network), a "0" is leading prefix for domestic calls (on-net) and "1" is leading prefix for international/special calls (off-net), Elliott discloses (Abstract) a multimedia (packetized data (voice)) telecommunication system that transfers information across the Internet, (Fig. 71, col. 250, line 26-60) gateway providing communication between customer processors, providing local dialing access/private dialing plans, (col. 190, line 34-67, col. 197, line 1 thru col. 198, line 67) dial-access using user pin, gatekeeper determining path, (col. 49, line 11-23, col. 154, line 55-67) utilizing Q.931 transmission protocol, Ranalli (Abstract, Fig. 1-3, 5, 6, col. 1, line 38-56, col. 2, line 22 thru col. 5, line 67) discloses correlating registered unique identifier associated

with a PSTN telephone number (conventional) to an Internet address wherein a directory service containing identifiers (telephone numbers) and associated IP addresses, packet switched technology, communicating voice over the Internet, (col. 2, line 55-67) searching database using keypad. However, Munguia et al in view of Foelker, Elliot et al and Ranalli are silent on determining the optimum path for calls. In analogous art, Wulkan discloses (Abstract, col. 8, line 1 thru col. 10, 67) a telecommunication management system that implements dialing plan as associated with local and remote client computers, router (gatekeeper) recognizes dialing information, router uses information to calculate optimum route as associated with the optimum cost and billing, communicating voice data in an Internet environment. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to be motivated to implement using the gatekeeper to calculate optimum path as taught in Wulkan's telecommunication management system with the combined teachings of Munguia, Foelker, Elliot and Ranalli telecommunication systems for the purpose of further processing and managing communicating information in a timely manner with least amount of delay.

Allowable Subject Matter

4. Claims 5 and 6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter: Although the cited prior art discloses a Web/Internet based telecommunication system wherein the architecture consist of calling party numbers, dialing plans and code ID, IP addresses are associated with subscribers so that subscriber requests are received over the Internet, plurality of gateways/servers to assist in message routing, after entering, plurality of servers assisting in

the communication between two units, IP addresses, ID numbers associated with CPN, whereby ID numbers and ID code set are entered after CPN, calling plan includes dialing protocol for off-net and on-net, associating leading zero with CPN, ID code numbers entered after CPN, multiple configurable dialing plans for callers inside and outside geographical location, the architecture includes leading digits/prefix digits which associate dialing plan with domestic, international or special dialing, a "0" is leading prefix for domestic calls (on-net) and "1" is leading prefix for international/special calls (off-net), a multimedia (packetized data (voice)) telecommunication system that transfers information across the Internet, gateway providing communication between customer processors, providing local dialing access/private dialing plans, dial-access using user pin, gatekeeper determining path, utilizing Q.931 transmission protocol, correlating registered unique identifier associated with a PSTN telephone number to an Internet address wherein a directory service containing identifiers and associated IP addresses, packet switched technology, communicating voice over the Internet, searching database using keypad they fail to teach or suggest wherein calls originate on the Internet and terminate off-net, and the gatekeeper routing tables determine the least cost route to terminate the call, and optional service available, that include consultative transfer, blind transfer, call waiting, forward on no response, forward on no answer, forward on busy and forward on unconditional.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Prenell P. Jones whose telephone number is 571-272-3180. The examiner can normally be reached on 9:00-5:30.

Art Unit: 2667

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chi Pham can be reached on 571-272-3179. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Prenell P. Jones

December 8, 2004

A handwritten signature in black ink, appearing to read "Prenell Jon".